

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

PAUL HARVEY, MERYL
EICHENBAUM and ROXANNE
KUZOWSKY, as representatives of a
Class of Similarly Situated Persons, and
on behalf of Bed Bath & Beyond, Inc.
401(k) Savings Plan,

Plaintiff,

v.

BED BATH & BEYOND, INC. 401(K)
SAVINGS PLAN COMMITTEE and
LAURA CROSSEN,

Defendants.

Case No. 2:23-cv-20376-CCC-ESK

**DECLARATION OF MARC R.
EDELMAN IN SUPPORT OF
PLAINTIFF’S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

I, Marc R. Edelman, declare and state as follows:

1. I am a partner at the law firm of Morgan & Morgan, P.A. (“Morgan & Morgan”), and am one of the attorneys of record for Plaintiffs Paul Harvey, Meryl Eichenbaum and Roxanne Kuzowsky, in the above-captioned action. I submit this declaration in support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

2. I am licensed to practice law in the State of Florida, and also have been admitted to practice in several federal district courts and appellate courts. A list of jurisdictions and courts in which I have been admitted is set forth below:

United States District Court Middle District of Florida
United States District Court Southern District of Florida
United States Court of Appeals for the Eleventh Circuit
United States District Court Western District of Tennessee
United States District Court Eastern District Michigan

Supreme Court of the State of Florida
Circuit Courts State of Florida

3. I received my law degree from Florida State University in 1996 and my B.A. from the University of Florida in 1992.

4. I have been actively engaged in the practice of law since 1996 and have substantial class action experience.

5. Since joining Morgan and Morgan I have focused my efforts on employment law and employment related class action lawsuits prosecuting violations of the Fair Credit Reporting Act 15 U.S.C. § 1681b and ERISA, primarily COBRA. *Graham v. Pyramid Healthcare Solutions*, Case No.: 8:16-cv- 1324-T-30AAS (Dkt.58), (M.D. Fla. June 18, 2017)(Moody, J.); *Coles v. Stateserv Medical of Florida, LLC et al.* No. 8:17-cv-829-T-17-AEP, (M.D. Fla., April 10, 2017) (Dkt. 45); *Fosbrink v. Area Wide Protective, Inc.*, 8:17-cv-01154-JSM-CPT, (M.D. Fla., May 8, 2018) (Moody, J.) (Dkt. 58); *Musa v. SOS Security LLC*, No. 2:17-cv-05681-MCA-SCM (D.N.J., Newark Division, April 16, 2018) (Dkt. 42); *Grice v. Pepsi Beverages Company, et al*, Case No:1:17-cv-08853-JPO (S.D.N.Y. May 23, 2018); *Gibbs v. Centerplate, Inc., et al.*, No.8:17-cv- 2187-T-17EAK-JSS (M.D.Fla. July 12, 2018); *Hargrett v. Amazon.comDEDC LLC*, Case No.8:15-cv-2456-T-26EAJ (July 24, 2018); *Gross v. Advanced Disposal Services, Inc.*, No. 8:17- cv-1920-T-36TGW (M.D.Fla. Dec. 10, 2018); *Williams v. Naples Hotel Group*, No: 6:18-cv- 422-Orl-37DCI (M.D.Fla. June 11, 2019); *Lindsey v. Ring Power Corporation*, No.: 18-CA-007124 (Fla. 13th Cir.); *Bulgajewski v. R.T.G. Furniture Corporation, d/b/a*

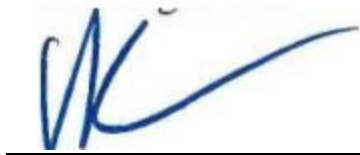
Rooms To Go, No.: 18-CA-007000 (Fla.13th Cir.). *Bryant v. Realogy Group, LLC*, No.: 8:18-cv-2572-T-60CPT (M.D.Fla. April 9, 2020); *Bermudez v. CFI Resorts Management, Inc.*, No.: 6:19-cv-1847-Orl- 37DCI (M.D.Fla. August 3, 2020); *Silberstein v. Petsmart, Inc.*, No.: 8:19-cv-02800-SCB-AAS (M.D.Fla. August 27, 2020); *Sharp v. Technicolor Videocassette of Michigan, Inc.*, No.: 2:18-cv- 02325-cgc (W.D.T.N., December 5, 2020); *Smith, et al. v. Kforce, Inc.*, No.: 8:19-cv-02068-CEH-CPT (M.D.Fla. June 28, 2021); *Broughton v. Payroll Made Easy, Inc.*, No.: 2:20-cv-41-NPM (M.D.Fla. July 27, 2021); *Betty Morris, et al. v. US Foods, Inc.*, No.: 8:20-cv-105-SDM-CPT (M.D.Fla. July 14, 2021); *Tweedie v. Waste Pro USA, Inc.*, No.: 8:19-cv-01827-TPB-AEP (M.D.Fla. August 5, 2021); *Mendiola v. Home Depot U.S.A., Inc., et al.*, No.: 1:20-cv-04027 (N.D.G.A. October 7, 2021); *McNamara v. Brenntag Mid-South, Inc.*, No.: 8:21-cv-618-MSS-JSS, (M.D.Fla. November 2, 2021); *Washington v. DialogDirect*, No: 2:21-cv-10445-LVP-RSW (E.D.Mich. April 18, 2022); *Lyttle v. Trulieve, Inc.*, Case No.: 8:19-cv-02313-CEH-TGW (M.D.Fla. Aug. 18, 2022); *Moore v Computer Generated Solutions, Inc.* Case No.: 2022-ca-856 (Thirteenth Circuit Fla. Sept. 21, 2023); *Rodriguez v TZ Insurance Solutions d/b/a Tranzact and Willis Towers Watson, U.S. LLC*, Case No.: 23-ca-401 (Thirteenth Circuit Fla. Aug. 17, 2023); *Cothran v. Adams*, Case No.: 23-cv-00518-CEH-CPT (M.D. Fla. October 24, 2024)(ESOP breach of fiduciary duty action); *Forestal v. SH Group Operations, LLC and Sterling Infosystems, Inc.*, Case No. 23-CA-013634, (Thirteenth Cir. Fla. May 22,

2024); *Stewart v. Baptist Memorial Health Care Corporation*, Case No. 2:21-cv-02377-SHM-cgc (W.D. Tenn. September 30, 2024).

6. Based on my personal experience and knowledge, discovery and research into the merits and valuation of the claims, and in collaboration with co-counsel, I believe that we were well-equipped to negotiate the Settlement that was reached in this case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 13, 2025



Marc R. Edelman